

REQUIRED STATEMENT
TO ACCOMPANY MOTIONS FOR RELIEF FROM STAY

Debtor Magalis M. Davila Case No 19-36111 Chapter 13
Moving Creditor Wilmington Savings Fund Society, Date Case Filed December 23, 2019
FSB, d/b/a Christiana Trust, not
individually but as trustee for Pretium
Mortgage Acquisition Trust

Nature of Relief Sought: ☒ Lift Stay ☐ Annul Stay ☐ Other (describe): __

Chapter 13 Date of Confirmation Hearing February 13, 2020 Date Plan Confirmed

1. Collateral
 - a. ☒ Home
 - b. ☐ Car _____
 - c. ☐ Other (describe) _____
2. Balance Owed as of _____
Total of all other Liens against Collateral \$ _____ (per debtor's schedule)
3. In chapter 13 cases, if a post-petition default is asserted in the motion, attach a payment history listing the amounts and dates of all payments received from the Debtor post-petition.
4. Estimated Value of Collateral (must be supplied in *all* cases) \$152,046.78 (per foreclosure sale)
5. Default
 - a. ☐ Pre-Petition Default
Number of months _____ Amount \$ _____
 - b. ☐ Post-Petition Default
 - i. ☐ On direct payments to the moving creditor
Number of months 0 Amount \$0.00
 - ii. ☐ On payments to the Standing Chapter 13 Trustee
Number of months _____ Amount \$ _____
6. Other Allegations
 - a. ☒ Lack of Adequate Protection § 362(d)(1)
 - i. ☐ No insurance
 - ii. ☐ Taxes unpaid Amount \$ _____
 - iii. ☐ Rapidly depreciating asset
 - iv. ☒ Other (describe) Foreclosure sale held prior to bankruptcy filing
 - b. ☒ No Equity and not Necessary for an Effective Reorganization § 362(d)(2)
 - c. ☐ Other "Cause" § 362(d)(1)
 - i. ☐ Bad Faith (describe) _____
 - ii. ☐ Multiple Filings
 - iii. ☐ Other (describe) _____
 - d. Debtor's Statement of Intention regarding the Collateral
 - i. ☐ Reaffirm
 - ii. ☐ Redeem
 - iii. ☐ Surrender
 - iv. ☐ No Statement of Intention Filed

Date: March 4, 2020

Submitted By:

/s/Dana O'Brien

ARDC# 6256415

McCalla Raymer Leibert Pierce, LLC